

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LAWRENCE PAYNE,

Plaintiff,

v.

**ONEONTA CITY BOARD
OF EDUCATION,**

Defendant.

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Case No. 2:10-cv-02988-RDP

ORDER AND FINAL JUDGMENT

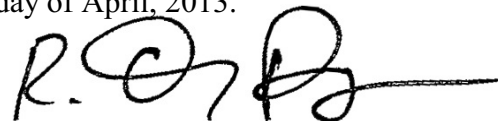
On December 17, 2012, the Magistrate Judge filed his Report and Recommendation in the above-styled cause (Doc. # 34), recommending that this court grant Defendant's Motion for Summary Judgment (Doc. # 12). The parties were advised of their right to file specific written objections within fifteen (15) days, and Plaintiff has filed objections to the Report and Recommendation. (Doc. # 35).

Having now carefully reviewed and considered *de novo* all of the materials in the court file, including the Report and Recommendation, Plaintiff's Objections (Doc. # 35), and Defendant's Response thereto (Doc. # 36), the court is of the opinion that the Report is due to be, and hereby is, **ADOPTED**, and the Recommendation is **ACCEPTED**.

Accordingly, Defendant's Motion for Summary Judgment (Doc. # 12) is **GRANTED**. It is hereby **ORDERED, ADJUDGED** and **DECREED** that **FINAL JUDGMENT** be entered in favor of Defendant Oneonta City Board of Education and against Plaintiff Lawrence Payne. This case is **DISMISSED WITH PREJUDICE**.

Costs are taxed against Plaintiff.

DONE and **ORDERED** this 4th day of April, 2013.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE